

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLARICE TUCK,

Plaintiff,

v.

GUARDIAN PROTECTION SERVICES,
INC.,

Defendant.

Case No.: 15-CV-1376 JLS (JLB)

**ORDER DENYING AS MOOT
MOTION TO DISMISS AND
VACATING HEARING**

(ECF Nos. 18, 19, 23)

Presently before the Court are Defendant Guardian Protection Services, Inc.'s Motion to Strike (ECF No. 18), Defendant's Motion to Dismiss for Failure to State a Claim (ECF No. 19), and Plaintiff Clarice Tuck's Motion to Strike (ECF No. 23) (collectively, the "Motions"). After the Motions were filed, Plaintiff filed her Second Amended Complaint. (ECF No. 30.) In light of Plaintiff's Second Amended Complaint (ECF No. 30), the Court **DENIES AS MOOT** the Motions. (ECF Nos. 18, 19, and 23.)

The Court cautions Plaintiff that, pursuant to Federal Rule of Civil Procedure 15(a)(2), further amended pleadings require either Defendant's written consent or the

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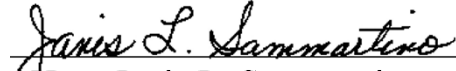
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1 Court's leave. If Plaintiff fails to abide by the Federal Rules of Civil Procedure or this
2 Court's orders, Defendant may move to dismiss this action. *See* Fed. R. Civ. P. 41(b).

3 **IT IS SO ORDERED.**

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5 Dated: February 1, 2016


6 Hon. Janis L. Sammartino
7 United States District Judge
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